Response to Questions from the July 17, 2012 Waste 2 Resources Advisory Committee Meeting

Introduction and Goals

Ecology has asked the Waste 2 Resource Advisory Committee (W2RAC) for input on appropriate activities to fund with the Waste Reduction, Recycling and Litter Control Account (WRRLCA) 30% fund. W2RAC raised a number of questions at the July 17, 2012, committee meeting. The purpose of this document is to answer those questions and position the group for a fruitful discussion at the September 18 committee meeting.

As W2RAC provides Ecology guidance on what waste reduction and recycling activities are important for funding with the WRRLCA 30%, insight into the agency's interpretation of the statute may be helpful. Ecology has interpreted the statute to mean the 30% is applicable to all waste reduction and recycling activities, and not limited to just reducing or recycling wastes of those items that pay into the litter tax.

RCW 70.93.180 directs 30% of funding for waste reduction and recycling (WRR):

> "Expenditures from the waste reduction, recycling and litter control account shall be used as follows: (3) Thirty percent to the department of ecology for waste reduction and recycling efforts. [RCW 70.93.180]

The phrase "*waste reduction and recycling efforts*" is very broad. RCW 70.93 references RCW 70.95 in the notes of the purpose statement (020). The purpose statement below refers to increasing WRR in general, as well as recycling and reducing items that are littered.

> *RCW 70.93.020 - Waste Reduction, Recycling and Litter Control Act - Declaration of Purpose*
> "The purpose of this chapter is to accomplish litter control, increase waste reduction, and stimulate all components of recycling throughout this state by delegating to the department of ecology the authority to:
>   (1) Conduct a permanent and continuous program to control and remove litter from this state to the maximum practical extent possible;
>   (2) Recover and recycle waste materials related to litter and littering;
>   (3) Foster public and private recycling of recyclable materials;
>   (4) Increase public awareness of the need for waste reduction, recycling, and litter control; and
>   (5) Coordinate the litter collection efforts and expenditure of funds for litter collection by other agencies identified in this chapter.
>   It is further the intent and purpose of this chapter to create jobs for employment of youth in litter cleanup and related activities and to stimulate and encourage small, private recycling centers. This program shall include the compatible goal of recovery of recyclable materials to conserve energy and natural resources wherever practicable. Every other department of state government and all local governmental units and agencies of this state shall cooperate with the department of ecology in the administration and enforcement of this chapter. The intent of this chapter is to add to and to coordinate existing recycling and litter control and removal efforts and not terminate or supplant such efforts". [RCW 70.93.020]

Questions Addressed and Information Provided

The key questions asked at the July 17 meeting were:

1. *What activities are included in waste reduction and recycling?*

2. *How does Ecology prioritize program activities?*

3. *How does Ecology measure the effectiveness of program activities?*

4. *Clarify program activities funded with Model Toxic Control Account (MTCA) and WRRLCA funds, which of those activities are required by statute, and the overall size of the accounts.*

In this document, we are providing overall finance information on the WRRLCA and MTCA accounts and the total FTEs charging to each one. The purpose of this committee is to advise the Waste 2 Resources (W2R) Program on which activities it should focus its resources on. It is not the purpose of the committee to manage the budget or staff allocations.

1. What Activities are Included in Waste Reduction & Recycling?

Waste reduction and recycling (WRR) is a broad category of work representing the state's highest waste management priority as directed by RCW 70.95, RCW 70.95C and RCW 70.105. The Office of Financial Management Activity (OFM) title refers to WRR as "eliminate waste and promote material reuse." Some WRR activities are interconnected with safe waste handling activities.

Waste reduction is defined as *reducing the amount or toxicity of waste generated or reusing materials [RCW 70.93.030(18) and RCW 70.95.030 (27)].*

Recycling is defined as *transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill disposal or incineration [RCW 70.93.030(13) and RCW70.95.030(18)].*

Listed below are activities that are included in WRR work (prior to the budget provisos). WRR work is broad and interconnected, and can be organized in a variety of ways and categories. Some activities are specific to WRR, while others also include elements of safe waste handling. As we discuss what activities to fund with the WRRLCA 30%, we welcome additional suggestions for activities.

WRR activities have included the following (this represents activities before the budget provisos):

- **Increasing and improving recycling** - Transporting recyclables, commingled recycling study, mapping recycling facilities, technical assistance to locals and businesses, packaging, responding to stakeholder advocates for product specific programs or legislation, Information Clearinghouse, 1-800-Recycle Hotline, school recycling awards.

- **Organics management** – Composting education and training, technical assistance to locals and businesses, anaerobic digestion, backyard composting, natural yard care, beneficial use determination, food waste prevention, facility compliance, organic waste-to-resources/fuels research partnerships with universities.

- **Construction & Demolition** (Green building) building material reuse and recycling, sustainable building materials, education and technical assistance to locals, other state agencies, and businesses.

- **Moderate Risk Waste -** Reduction, recycling, safe handling, Environmentally Preferred Purchasing *(Typically funded with MTCA, not WRRLCA).*

- **State Planning** - Many elements of the state plan focus on development and implementation of WRR programs.

WRR activities are also inter-connected to the following activities:

- **Local Planning** - Technical assistance for local solid and hazardous waste planning and implementation, as the plans address WRR, waste handling and disposal *(Typically funded with MTCA, not WRRLCA).*

- **Coordinated Prevention Grant Management** - Many Coordinated Prevention Grants address WRR *(Only funded with MTCA, not WRRLCA).*

- **Public Participation Grant Management** - Some Public Participation grants address WRR *(Only funded with MTCA, not WRRLCA).*

- **Solid waste handling facilities technical assistance** – Includes activities for exempt recycling and composting facilities *(Typically funded with MTCA, not WRRLCA).*

- **Data collection and reporting** - Including waste generation data, recycling data, Beyond Waste Indicators, performance measures, annual solid waste status report.

- **Rule development** - Rule updates may address recycling or composting.

- **Solid waste laws update** - Designed in part to improve WRR.

- **Financing the solid waste system** - In part to find more sustainable finance mechanisms for WRR programs.

- **Reducing Toxic Threats** - Persistent Bioaccumulative Toxics (PBT) Chemical Action Plans; Children's Safe Products *(Only funded with MTCA, not WRRLCA).*

These activities illustrate the broad scope and interconnected nature of work that is incorporated under WRR. Not all of these activities are or have been funded by the WRRLCA account. (Table 2, at the end of this report, illustrates eligible and current funding sources.)

2. How does Ecology prioritize program activities?

W2R Program priorities are set through many different steps as described below.

Statute directs some of the key work Ecology does, including supporting the waste management hierarchy. This hierarchy was established and supported in three different statutes (RCW 70.95, RCW 70.95C and RCW 70.105) by both the Legislature and citizen initiatives.

The State Solid Waste Plan, Beyond Waste, also prioritizes program work. This plan was developed during 2000-2004 with significant stakeholder input. It focuses on wastes that represent a large portion of our waste stream and/or significant risks. The plan was updated in 2009, also with stakeholder input, and received the support of the State Solid Waste Advisory Committee.

The base "carry-forward" levels in the biennial budget also play a role in prioritization. Ecology executive management sets some direction for us as well (such as reducing toxic threats and clean-up of Puget Sound).

The W2R Program Management Team goes through a lengthy prioritization process using the detailed program plan. They first look at statutory requirements, new legislation, executive orders and emerging issues. They look at activities separate from any budget information, and prioritize the activities across the program using criteria such as constituent needs, and current and future local priorities. Then they overlay funding sources and staffing levels, and fund accordingly. This is done at least once each biennium, and more often if needed.

3. How does Ecology measure the effectiveness of program activities?

There are no direct outcome measures of each individual program activity. The program management team evaluates progress on the program plan biennially with an annual mid-course correction. Managers also review staff activity accomplishments through annual individual performance evaluations. In addition, the program tracks statewide measures of the solid waste system. These statewide measures can be found on the OFM website, in the Beyond Waste Progress Report, and in the State Solid Waste Annual Report, which are all available on-line.

4. Clarify program activities funded with MTCA and WRRLCA funds, which of those activities are required by statute, and the overall size of the accounts.

Table 1 demonstrates the total appropriations of MTCA and WRRLCA to the agency and W2R Program using 2011-13 budget amounts. It breaks out the operating and capital budget for MTCA and WRRLCA, including the sub-accounts, and shows program expenditures through June 2012. Full-Time Equivalent (FTE) staffing levels paid for with each account are also represented.

Table 1

Ecology's 2011-13 Biennium Capital and Operating Appropriations and Expenditures (WRRLCA and MTCA)				
Capital				
	Agency Appropriations	**W2R Appropriations**	**W2R Expenditures through June, 2012**	**W2R FTEs through June, 2012**
Waste Reduction, Recycling, and Litter Control Account				
Local Toxics Control Account	$ 212,372,174	$ 122,323,599	$ 21,910,169	2.0
State Toxics Control Account	$ 104,834,044	$ 1,735,695	$ 182,849	1.9
Operating				
	Agency Appropriations	**W2R Appropriations**	**W2R Expenditures through June, 2012**	**W2R FTEs through June, 2012**
Waste Reduction, Recycling, and Litter Control Account	$ 9,715,000	$ 9,103,728	$ 3,707,264	12.7
WRRCLA 50%		*$ 5,188,115*	*$ 1,218,879*	*6.7*
WRRLCA 30%		*$ 1,800,000*	*$ 1,800,000*	*8.9*
WRRLCA 20%		*$ 2,115,613*	*$ 688,385*	*-*
Local Toxics Control Account	$ 26,161,000	$ 3,664,754	$ 1,614,906	17.9
State Toxics Control Account	$ 130,867,000	$ 7,551,424	$ 3,164,033	24.8

Table 2, which builds on the circle diagram provided at the July 17 W2RAC meeting, provides information on W2R program activities funded with MTCA and WRRLCA, including current and eligible fund sources for various activities. The "X" marks eligible funding sources. A highlighted "X" indicates the current funding source. This table also shows which activities are required by statute (RCW 70.93; RCW 70.95, RCW, 70.95C, RCW 70.105), as well as those activities that pursue the recommendations in the State Solid Waste Plan, Beyond Waste.

Example of how to read Table 2: Data collection and reporting is required by statute and recommended in the state solid waste plan, Beyond Waste. It is eligible to be funded from the WRRLCA 30% fund, the LTCA or the STCA. We are currently funding data collections and reporting work with both LTCA and STCA.

Table 2

Typical W2R Program Activities and Funding Sources (WRRLCA and MTCA)	Statute Requires	State Plan Recommends	Eligible Funding Sources				
			WRRLCA			MTCA	
Green highlight = current fund source			50%	30%	20%	LTCA	STCA
Waste Reduction and Recycling							
Increasing & Improving Recycling							
Technical Assistance to locals and businesses	Y	Y		X		X	
Information Clearinghouse		Y		X		X	
Commingled Recycling Study		Y		X		X	X
Mapping Recycling Facilities		Y		X		X	X
Packaging		Y		X		X	
Product-specific Programs		Y		X		X	X
Transporting Recyclables	Y			X		X	X
1-800-RECYCLE Hotline	Y			X		X	
School Recycling Awards	Y			X		X	X
Organics Management							
Composting Education and Training		Y		X		X	X
Technical Assistance to locals and businesses	Y	Y		X		X	X
Anaerobic Digestion	Y	Y		X			X
Backyard composting		Y		X		X	
Natural Yard Care		Y		X		X	X
Beneficial Use Determination	Y	Y		X			X
Food Waste Prevention		Y		X		X	X
Facility Compliance	Y	Y					X
Organic Waste to Resources/Fuels Research	Y	Y		X			X
Construction & Demolition (green building)							
Building Material Reuse and Recycling		Y		X		X	X
Sustainable Building Materials		Y		X		X	X
Education and Technical Assistance		Y		X		X	X
Moderate Risk Waste							
Reduction, Recycling, Safe Handling		Y				X	X
Environmentally Preferred Purchasing		Y		X		X	X
State Solid Waste Planning	Y			X			X

Related to Waste Reduction and Recycling							
Local Solid and Hazardous Waste Planning and Implementation Assistance	Y	Y		X		X	
Data Collection and Reporting	Y	Y		X		X	X
Solid Waste Laws Update		Y		X		X	X
Financing the Solid Waste System		Y		X		X	X
Rule development	Y	Y		X		X	X
Pass Through to Local Governments							
Coordinated Prevention Grants	Y	Y				X	
Public Participation Grants	Y					X	X
Reducing Toxic Threats							
PBT Chemical Action Plans	Y	Y					X
Children's Safe Products	Y	Y					X
Litter Pickup and Prevention							
Litter Pickup							
Ecology Youth Corp litter pickup	Y		X				
State Agency Litter Pickup	Y		X				
Local Government Contracts for Litter Pickup	Y				X		
Litter Prevention							
Litter Survey	Y		X				
Litter Hotline	Y		X				
Litter Prevention Campaign	Y		X				
Non-Waste Reduction and Recycling Programs							
Solid Waste Handling Facilities Regulatory Assistance (Engineering, Hydrogeology)	Y	Y					X
Remedial Action Grants	Y					X	
Major Industrial Facilities	Y						X